

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

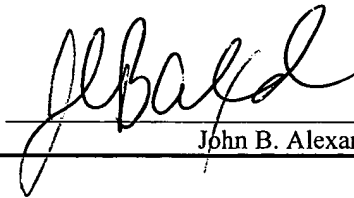
APPLICANT: Neurogen Corporation  
INT'L APPLN NO.: PCT/US2004/021914  
FILED: 9 July 2004  
FOR: ARYL-SUBSTITUTED BENZO[D]ISOTHIAZOL-3-YLAMINE  
ANALOGUES

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland  
Attn: Marie-José DEVILLARD

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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this **Response To Invitation To Correct Priority Claim** is being sent to the International Bureau of WIPO (attn: Marie-José DEVILLARD) via facsimile on 17 March 2005 to Facsimile No. 41 22 338 8995.



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John B. Alexander, Ph.D.

Sir:

**RESPONSE TO INVITATION TO CORRECT PRIORITY CLAIM  
IN THE INTERNATIONAL APPLICATION**

Applicants are in receipt of the Invitation to Correct Priority Claim mailed by the International Bureau of WIPO on 5 January 2005, for the above-referenced international application.

As the invitation is understood, there is a discrepancy between the priority date claimed in the request and the priority date listed on the certified copy of the priority application (U.S.S.N. 60 485,958). The United States Patent and Trademark Office incorrectly assigned the priority application a filing date of 9 July 2003.

In fact, the priority application was filed on 10 July 2003, which date is evidenced by the attached Express Mail Certificate and Mail Room postcard, and which date was properly listed on the Request of the instant application.

Applicant, Neurogen Corporation, has filed a request for corrected filing receipt with the U.S. Patent and Trademark Office on 9 September 2003, receipt of said request has been acknowledged but not yet acted upon.

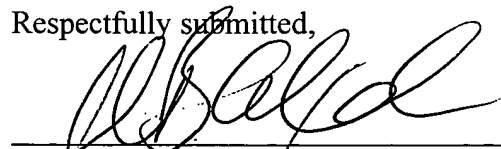
Accordingly, in response to the Invitation to Correct Priority Claim, enclosed please find the following:

- 1) Copy of the Invitation to Correct Priority Claim;
- 2) The request for corrected filing receipt mailed on 9 September 2003 to the U.S. Patent and Trademark Office in connection with U.S.S.N. 60/485,958;
- 3) Copy of the stamped mail room postcard indicating receipt of the request for corrected filing receipt by the U.S. Patent and Trademark Office; and
- 4) Copy of the Express Mail Certificate indicating deposit of the application package with the U.S. Postal Service for the priority application on 10 July 2003.

Please contact the undersigned agent if any additional information is needed.

Date: 17 March 2005

Respectfully submitted,



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John B. Alexander (Reg. No.: 48,399)  
EDWARDS & ANGELL, LLP  
P.O. Box 55874  
Boston, MA 02205  
Tel. (617) 439-4444



The International Bureau has found the following defects in the priority claim(s):

**1. Failure to Comply with the Requirements of Rule 4.10**

- a. ☐ **National application**
- ☐ Missing indication of the filing date of the earlier application.
  - ☐ Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.
  - ☐ Missing indication of the number of the earlier application.\*
  - ☐ Missing indication of the country party to the Paris Convention for the Protection of Industrial Property, or of the Member of the World Trade Organization that is not party to that Convention, in which the earlier national application was filed.
  - ☐ The country indicated is neither a party to the Paris Convention for the Protection of Industrial Property nor a Member of the World Trade Organization.
- b. ☐ **Regional application**
- ☐ Missing indication of the filing date of the earlier application.
  - ☐ Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.
  - ☐ Missing indication of the number of the earlier application.\*
  - ☐ Missing indication of the authority entrusted with the granting of regional patents under the applicable regional patent treaty.
  - ☐ The authority indicated as the authority entrusted with the granting of regional patents does not grant regional patents.
  - ☐ The priority claim in relation to the ARIPO application does not indicate either at least one country party to the Paris Convention for the Protection of Industrial Property, or at least one Member of the World Trade Organization, for which the earlier application was filed.
- c. ☐ **International application**
- ☐ Missing indication of the filing date of the earlier application.
  - ☐ Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.
  - ☐ Missing indication of the number of the earlier application.\*
  - ☐ Missing indication of the receiving Office with which it was filed.

**2. Inconsistency with the Corresponding Indications in the Priority Document\***

- a. ☒ Inconsistency with regard to the filing date of the earlier application:  
The request indicates: 10 July 2003  
The priority document indicates: 09 July 2003
- b. ☐ Inconsistency with regard to the number of the earlier application:  
The request indicates:  
The priority document indicates:
- c. ☐ Inconsistency with regard to the country party to the Paris Convention for the Protection of Industrial Property or the Member of the World Trade Organization in which the national application was filed:  
The request indicates:  
The priority document indicates:
- d. ☐ Inconsistency with regard to the authority entrusted with the granting of regional patents under the applicable regional patent treaty:  
The request indicates:  
The priority document indicates:
- e. ☐ Inconsistency with regard to the receiving Office with which the international application was filed:  
The request indicates:  
The priority document indicates:

\* Even if this defect is not corrected in response to this invitation, the priority claim concerned will not be considered not to have been made (Rule 26bis.2(b)).

10/564263

IAP20 Rec'd PSTPTO 09 JAN 2006

Office No. N012201P

THE PATENT AND TRADEMARK OFFICE IMPRINT HEREON  
ACKNOWLEDGES THE FILING OF:

Description of Paper and No.:

- ☒ Transmittal Letter (1 page);
- ☒ Request for Corrected Filing Receipt (1 page);
- ☒ Copy of Original Filing Receipt (1 page);
- ☒ Copy of Express Mail Label (1 page)

Name of Applicant(s): Blum, et al

Int. Or Serial No.: 60/485,958

Date: September 9, 2003

Atty or Agent: Ann Kadlecck



10/564263

IAP20 Rec'd PST/PTO 09 JAN 2006

Office No. N01.2201P

THE PATENT AND TRADEMARK OFFICE IMPRINT HERBON  
ACKNOWLEDGES THE FILING OF:

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- ☒ Transmittal Letter (1 page);
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- ☒ Copy of Express Mail Label (1 page)

Name of Applicant(s): Blum, et al  
Int. Or Serial No.: 60/485,958  
Date: September 9, 2003  
Atty or Agent: Ann Kadlecsek

10/564263

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. N01.2201P)

IP20 Rec'd PCT PTO 09 JAN 2006

In Re Application of: Blum, et al. )  
Serial No.: 60/485,958 )  
Filed: 07/10/2003 )  
For: Aryl-Substituted Benzo[d]isothiazol-3- )  
ylamine Analogues )

**TRANSMITTAL LETTER**

Mail Stop Filing Receipt  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above-identified application,

1. We are transmitting herewith the attached:

- a) Request for Corrected Filing Receipt (1 page)
- b) Copy of Original Filing Receipt
- c) Copy of Express Mail Label
- d) Postcard

2. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the items described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Filing Receipt, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, the 9<sup>th</sup> day of September, 2003.

Respectfully submitted,  
**NEUROGEN CORPORATION**  
35 Northeast Industrial Road  
Branford, CT 06405  
Phone: (203) 488-8201

Date

9/9/2003

By:

Ann Kadlecek  
Reg. No. 39,244

10/564263

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. N01.2201P)

IAP20 Rec'd PCT/PTO 09 JAN 2006

In Re Application of: Bhum, et al. )  
Serial No. : 60/485,958 )  
Filed: 07/10/2003 )  
For: Aryl-Substituted Benso[d]isothiazol-3- )  
ylamine Analogues )

**REQUEST FOR CORRECTED FILING RECEIPT**

Mail Stop Filing Receipt  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Provisional Application Filing Receipt for the above-identified application contains an error in the filing date. As indicated on the enclosed Express Mailing Label, this application was sent by Express Mail Post Office To Addressee Service to: Mail Stop Provisional Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on July 10, 2003, with Express Mail No. ER139646067US. This correction is noted on the enclosed copy of the original filing receipt. The issuance of a corrected filing receipt is respectfully requested.

Respectfully submitted,  
**NEUROGEN CORPORATION**  
35 Northeast Industrial Road  
Branford, CT 06405  
Phone: (203) 488-8201

Date 9/9/2003

By:   
Ann Kadlecsek  
Reg. No. 39,244





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

ADDRESS: COMMISSIONER OF PATENTS AND TRADEMARKS

P.O. Box 1098, A

Alexandria, Virginia 22313-1498

10/564263

IAP20 09 JAN 2006

APPL NO.	FILING OR 371 (a) DATE	GRP/ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
60/485,958	07/09/2003 10		80	N01.2201P			

Patent Department  
Neurogen Corporation  
35 Northeast Industrial Road  
Branford, CT 06405

CONFIRMATION NO. 2510

## FILING RECEIPT



\*OC000000010810763\*

Date Mailed: 09/03/2003

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9193. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Charles A. Blum; Westbrook, CT;  
Xiaozhang Zheng, Branford, CT;

If Required, Foreign Filing License Granted: 09/03/2003

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Aryl-substituted benzo[d]isothiazol-3-ylamine analogues

## LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 &amp; 5.16

GRANTED

10/564263

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No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance <b>IV</b>	Insurance Fee
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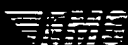
FROM: (PLEASE PRINT)

PHONE: **203 485-8201**

Anni Kadlecak  
Neurogen Corporation  
35 NE Industrial Rd.  
Branford, CT 06405

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.com



PRESS HARD, ALL SET, THANK YOU

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TO: (PLEASE PRINT)

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA

22313 + 1450

ZIP + 4

TRANSACTION REPORT

10/564263 P. 01  
MAR-17-2005 THU 01:46 PM

DATE START RECEIVER TX TIME PAGES TIME MP20 Rec'd NOTE PTO 09 JAN 2006  
MAR-17 01:43 PM 01141223388995 2' 42" 11 SEND OK 939

TOTAL : 2M 42S PAGES: 11

Edwards & Angell LLP

101 Federal Street Boston, MA 02110 617.439.4444 fax 617.439.4170  
www.EdwardsAngell.com

Date : 17 March 2005

Pages (including cover) : 11

Sender :

Name John B. Alexander  
Fax 617.439.4170 Phone 617.517.5555  
Email JAlexander@EdwardsAngell.com

To :

Name	Company	Fax	Phone
	The International Bureau of WIPO	41 22 338 8995	
	Attn: Maric-José DEVILLARD		

If you experience problems receiving this fax, please call Michelle P. Chicos at 617.517.5551.

Message :

Enclosed please find a Response to an Invitation to Correct Priority Claim.

# Edwards & Angell LLP

101 Federal Street Boston, MA 02110 617.439.4444 fax 617.439.4170  
www.EdwardsAngell.com

10/564263

1AP20 Rec'd 09 JAN 2006

Date : 17 March 2005

Pages (including cover) : 11

## Sender :

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Name	John B. Alexander	Phone	617.517.5555
Fax	617.439.4170		
Email	JAlexander@EdwardsAngell.com		

---

## To :

Name	Company	Fax	Phone
	The International Bureau of WIPO	41 22 338 8995	
	Attn: Marie-José DEVILLARD		

If you experience problems receiving this fax, please call Michelle P. Chicos at 617.517.5551.

## Message :

Enclosed please find a Response to an Invitation to Correct Priority Claim.

Please do not hesitate to contact me if you have any questions, or if I can be of any further assistance at this time.

Best Regards,

John B. Alexander, Ph.D.

JBA:mpc

# Fax

**Confidentiality Note :** The documents accompanying this facsimile contain information from the law firm of Edwards & Angell LLP, which may be confidential and/or privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying distribution or the taking of any action in reliance on the contents of this facsimile is strictly prohibited, and that the documents should be returned to this firm immediately. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you.